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EXAMINER
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ART UNIT	PAPER NUMBER
2177	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/649,436	HOLT ET AL.
	Examiner	Art Unit
	Khanh B. Pham	2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 May 2003</u> .

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,6 and 10-46</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,6 and 10-46</u> is/are rejected.

7)☒ Claim(s) <u>42</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Response to Amendment

1.   The amendment filed May 15, 2003 has been entered. Claims **1-2, 6, 10-21** have

been **amended**. Claims **3-5, 7-9** have been **canceled**. Claims **22-46** have been **added**.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   **Claims 1-2, 6, 10-43 are rejected under 35 U.S.C. 102(a)** as being anticipated

by **Lumsden** (US 6,006,217 A), hereinafter referred to as "Lumsden".

As per claim 1, Lumsden teaches a method for real-time distillation of a source

document, comprising:

- "receiving search criteria from a client; searching at least one source based on

  the search criteria, determining search results responsive to said searching" at

  Col. 5 line 60 to Col. 6 line 15;

- "distilling a selected one of the search results in substantially real time relative to

  the time of selection, wherein the distillation occurs in accordance with at least

  one data type criterion selected from a plurality of predefined data type criteria" at

  Col. 6 line 48 to Col. 7 line 22;

- "creating a distilled version of the selected search result, wherein the distilled version contains predefined content from the selected search result in accordance with the selected data type criteria" at Col. 6 line 48 to Col 7 line 22.

As per claim 2, Lumsden teaches the method as in claim 1, further comprising the step of "creating an index in the distilled version wherein the index allows selective entry into the content of the corresponding search result" at Col. 7 lines 1-22.

As per claim 6, Lumsden teaches a method for displaying search results, comprising:

- "receiving search criteria from a client; searching at least one source based on the search criteria; determining search results responsive to said searching, the search results comprising source documents" at Col. 5 lines 60 to Col. 6 line 15;

- "selecting one of the source documents, the selected document having a first content" at Col. 6 lines 48-50;

- "at substantially the time of selection, distilling the selected source documents into result object, wherein the result object includes a second content and the second content is derived from the first content in accordance with at least one predefined distillation criterion" at Col. 6 lines 48-67;

- "and creating an index from the result object into the selected source document, wherein selection of the index provides a display of a corresponding portion of the first content" at Col. 7 lines 1-22.

As per claim 10, Lumsden teaches a method for displaying search results, comprising:

- "receiving search criteria from a client; searching at least one source based on the search criteria; determining a plurality of search results responsive to said searching" Col. 5 lines 60 to Col. 6 line 15;

- "distilling a selected one of the search results into a result object" at Col. 6 lines 48-67;

- "creating a mid-menu that corresponds to the result object, the mid-menu comprising a plurality of menu options, each menu option including at least one result category" at Col. 6 line 67 to Col. 7 line 22;

- "and a content metric, the content metric being a measure of a relative value of the result category" at Fig. 5;

- "displaying the mid-menu" at Col. 6 lines 67 to Col. 7 line 22.

As per claim 11, Lumsden teaches the method as in claim 10, wherein "the content metric comprises a quantitative measure of the relative value of the result category" at Col. 7 lines 48-53 and Fig. 5.

As per claim 12, Lumsden teaches the method as in claim 11, wherein "the quantitative measure comprises a number of results for each the result category" at Fig. 5.

As per claim 13, Lumsden teaches the method as in claim 11, wherein "the quantitative measure comprises a number of occurrences of pre-specified data" at Col. 6 lines 55-67 and Fig. 5.

As per claim 14, Lumsden teaches the method as in claim 10, wherein "the content metric comprises a qualitative measure of the relative value of the result category" at Col. 7 lines 48-53 and Fig. 5.

As per claim 15, Lumsden teaches the method as in claim 14, wherein "the qualitative measure comprises an indicator of the relevance of the results of the result category to the search criteria" at Col. 7 lines 48-53 and Fig. 5.

As per claim 16, Lumsden teaches the method as in claim 10, wherein "at least one category comprises a data type" at Col. 6 lines 48-67.

As per claim 17, Lumsden teaches the method as in claim 10, wherein "at least one category comprises a user-defined type" at Col. 6 lines 48-67.

As per claim 18, Lumsden teaches the method as in claim 10, additionally comprising "determining user preferences, and dynamically creating the mid-menu in accordance with the user preferences" at Col. 5 lines 60-65 and Col. 6 lines 48-67.

As per claim 19, Lumsden teaches a method for displaying search results, comprising:

- "receiving search criteria from a client; searching a plurality of sources based on the search criteria; determining search results responsive to said searching" at Col. 5 lines 60 to Col. 6 line 15;

- "distilling a selected one of the search results into a result object" at Col. 6 lines 48-60;

- "determining user preferences" at Col. 6 lines 60-67;

- "creating a mid-menu in accordance with the user preferences, the mid-menu corresponding to the result object and comprising a plurality of menu options, each menu option including a result category, each result category having a number of results" at Col. 6 line 67 to Col. 7 line 22;

- "and a content metric for each result category, the content metric being a measure of the value of the result category" at Fig. 5;

- "and displaying the mid-menu" at Col. 7 lines 1-22.

As per claim 20, Lumsden teaches the method as in claim 19, wherein "the content metric comprises a quantitative measure for each result category" at Fig. 5.

As per claim 21, Lumsden teaches the method as in claim 19, wherein "the content metric comprises a qualitative measure for each result category" at Fig. 5.

As per claim 22, Lumsden teaches a method for searching, comprising:

- "receiving search criteria; searching at least one body of knowledge based on the search criteria; providing a plurality of search results that are responsive to the searching" at Col. 5 lines 60 to Col. 6 line 15;

- "displaying on a display device a list of at least some of the search results, the list comprising: a separate and unique identifier corresponding to each one of the search results in the list" at Col. 6 lines 5-25 and Fig. 5; and

- "a separate distillation trigger associated with each unique identifier" at Col. 6 lines 15-25 and Fig. 5, element 76;

- "wherein selection by a user of a distillation trigger causes a substantial real-time

   creation of a distilled version of the search result corresponding to the unique

   identifier associated with the selected distillation trigger" at Col. 6 lines 48-67.

As per claim 23, Lumsden teaches the method as defined in claim 22, wherein

"the unique identifier is a URL corresponding to the search result in the list" at Fig. 5.

As per claim 24, Lumsden teaches the method as defined in claim 22, wherein

"the unique identifier is a title corresponding to the search result in the list" at Fig. 5.

As per claim 25, Lumsden teaches the method as defined in claim 22, wherein

"the unique identifier is an abstract corresponding to the search result in the list" at Fig.

5.

As per claim 26, Lumsden teaches the method as defined in claim 22, wherein

"selection by a user of the unique identifier causes a full content version of the

corresponding search result to be displayed on the display device" at Col. 7 lines 35-50.

As per claim 27, Lumsden teaches the method as defined in claim 22, wherein

"the distilled version includes content extracted from the corresponding search result in

accordance with at least one predefined data type" at Col. 6 lines 48-67.

As per claim 28, Lumsden teaches the method as defined in claim 27, wherein

"the at least one predefined data type is selected from one of the following data types: a

key point; a focus word; a matched-in-context key point; a title; and a URL" at Col. 6 line

67 to Col. 7 line 22.

As per claim 29, Lumsden teaches the method as defined in claim 27, wherein "the at least one data type provides an index to content of the corresponding search result" at Col. 6 line 67 to Col. 7 line 22.

As per claim 30, Lumsden teaches the method as defined in claim 27, further comprising the steps of:

- "displaying the distilled version on the display device" at Col. 6 line 67 to Col. 7 line 22; and

- "wherein selection by a user of a predefined data type within the displayed distilled version causes a substantially real time entry into the content of the corresponding search result" at Col. 7 lines 12-22.

As per claim 31, Lumsden teaches the method as defined in claim 30, further comprising the step of "displaying a predefined portion of the content of the search result, wherein the predefined portion is adjacent to the data type selected by the user within the distilled version" at Col. 7 lines 12-22.

As per claim 32, Lumsden teaches the method as defined in claim 22, further comprising the step of "displaying the distilled version on the display device" at Col. 7 lines 1-22.

As per claim 33, Lumsden teaches the method as defined in claim 22, wherein "at least some of the search results are comprised of textual documents" at Col. 6 lines 5-25.

As per claim 34, Lumsden teaches a method for searching, comprising:

- "receiving search criteria; searching at least one body of knowledge based on the search criteria; providing a plurality of search results that are responsive to the searching" at Col. 5 line 60 to Col. 6 line 25;

- "distilling a selected one of the search results into a result object, the result object including content extracted from the selected search result in accordance with a plurality of data type preferences selected from a plurality of predefined data type preference types" at Col. 5 lines 60-65 and Col. 6 lines 48-67;

- "creating a menu corresponding to the result object, the menu including a plurality of menu options, wherein each menu option defines a result category that is descriptive of a predefined portion of the content of the result object" at Col. 6 line 67 to Col. 7 line 22; and

- "graphically displaying the menu on a display device, wherein a user may optionally select any one of the menu options" at Col. 6 line 67 to Col. 7 line 22.

As per claim 35, Lumsden teaches the method as defined in claim 34, wherein "at least one result category comprises one of the selected data type preference types used to distil the search result" at Col. 6 lines 48-67.

As per claim 36, Lumsden teaches the method as defined in claim 34, wherein "selection of a menu option causes a corresponding content portion of the result object to be displayed on the display device" at Col. 7 lines 12-22.

As per claim 37, Lumsden teaches the method as defined in claim 34, wherein "selection of a menu option causes a corresponding content portion of the selected search result to be displayed on the display device" at Col. 7 lines 12-22.

As per claim 38, Lumsden teaches the method as defined in claim 34, further comprising "a plurality of content metrics that are associated with a corresponding menu option, wherein each content metric is representative of a value for the result category of the menu option" at Fig. 5.

As per claim 39, Lumsden teaches the method as defined in claim 38, wherein "the value represented by the content metric is a quantitative measure of the corresponding result category" at Fig. 5.

As per claim 40, Lumsden teaches the method as defined in claim 39, wherein "the quantitative measure comprises a number of results for the corresponding result category" at Fig. 5.

As per claim 41, Lumsden teaches the method as defined in claim 39, wherein "the quantitative measure comprises a number of occurrences of a data type specified by the corresponding result category" at Col. 6 line 67 to Col. 7 line 22.

As per claim 42, Lumsden teaches the method as defined in claim 38, wherein "the value represented by the content metric is a qualitative measure of the corresponding result category" at Fig. 5.

As per claim 43, Lumsden teaches the method as defined in claim 42, wherein "the qualitative measure is indicative of the degree of relevance of the corresponding result category to the search criteria" at Col. 7 lines 48-53.

4. **Claims 44-46 are rejected under 35 U.S.C. 102(b)** as being anticipated by **Rubinstein** et al. (US 5,913,215), hereinafter referred to as "Rubinstein".

As per claim 44, Rubinstein teaches the method for searching, comprising:

- "receiving search criteria; searching at least one body of knowledge based on the search criteria; providing a plurality of search results that are responsive to the searching, wherein at least one of the search results is a document comprised of text content" at Col. 7 lines 40-50 and Fig. 2;

- "selecting one of the text-content document search results; and at substantially the time of selection, distilling the selected document, wherein the step of distilling comprises the following steps: extracting content from the selected document in accordance with a plurality of data type rules" at Col. 7 line 55 to Col. 8 line 15;

- "deriving a plurality of key points from the text content of the selected document, wherein key points are at least partially identified by locating text portions within the document that contain predefined verb types" at Col. 8 line 25 to Col. 9 line 25;

- "and generating a reduced content distilled document that contains at least a portion of the extracted content and at least one of the key points" at Col. 7 line 55 to Col. 8 line 15.

As per claim 45, Rubinstein teaches the method as defined in claim 44, further comprising the step of "displaying the reduced content distilled document on a display device" at Fig. 2, element 270 and Fig. 15.

As per claim 46, Rubinstein teaches the method as defined in claim 44, wherein "the step of deriving key points comprises:

- "segmenting the text content of the selected document into a plurality of separate textual components" at Col. 8 line 25 to Col. 9 line 25;

- "identifying whether verbs are present within the textual components; comparing identified verbs to a predefined hierarchy of verb sequences; and based upon the results of the comparison, identifying which of the identified verbs are used in identifying key points" at Col. 8 line 25 to Col. 9 line 25.

Response to Arguments

5.   Applicant's arguments filed May 15, 2003 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7240.

Khanh B. Pham
Examiner
Art Unit 2177

KBP
July 1, 2003

JEAN R. HOMERE
PRIMARY EXAMINER